

REMARKS

In response to the Office Action of February 23, 2009, claims 1, 16, 17, and 23 have been amended to correct various informalities. No new matter is added. Thus, claims 1-7, 16, 17, and 21-23 are currently pending.

Claim Rejections- 35 USC §112

At section 4, claims 1, 17 and 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is asserted for example that claim 1, line 6 states "said retrieved information" and line 18 states "said information," thus making it unclear how the two information relate to each other relative to the data store, or how they can be resolved to be the same information. Claims 1, 16, 17 and 23 have been amended to clarify the distinction by reciting that "said information" is relating to said at least one identified data store. Thus, it is respectfully submitted that these claims are in allowable form.

With respect to claim 23, it is further asserted that the claim is indefinite and fails to comply with the written description requirement because claim elements, "means for," are means (or step) plus function limitations that invoke 35 U.S.C. 112, sixth paragraph, and it is asserted that the written description fails to disclose the corresponding structure, material, or acts for the claimed function. Applicant respectfully disagrees.

The application as filed provides sufficient support for claim 23. Claim 23 is a counterpart to user terminal device claim 17, using means plus function terminology. The underlying structures supporting the use of the terminology can be found throughout the application. From page 9, line 23- page 10, line 24, a request generating component, a processor, an interface, a component for including at least one data store descriptor, and a component for including a command are all explicitly disclosed. As evidenced by claim 17, these elements perform the functions claimed in claim 23. Further support can be found in Figure 6 and the accompanying description in the application as filed from page 28, line 4- page 30, line 25. Therefore, it is respectfully

submitted that claim 23 complies with the written description requirement of 35 U.S.C. 112, second paragraph, and is in allowable form.

Claim Rejections - 35 USC §102

At section 7, claims 1-7, 16, 17, and 21-23 are rejected under 35 USC §102(e) as anticipated in view of US patent 5,925,481, Singhal, et al (hereinafter Singhal).

With respect to claim 1, the Office asserts that Singhal discloses the recited method with specific reference to column 6, lines 7-15, column 8, line 57-column 9, lines 37, column 10, lines 15-35, column 12, line 1-37, column 13, lines 33-63, column 15, lines 15-35, and column 16, lines 60-62. Applicant notes that the last recited action concerning claim 1 reads in pertinent part “a command for instructing said other device to identify...”, whereas the Office presents this last recited action as “a command for instructing a second device to identify...” (emphasis added). Thus, it is respectfully submitted that the Office has not properly represented this portion of the claim.

Singhal is directed to enabling users of pervasive devices to remotely access and manipulate information in ways that might otherwise be impossible or impractical because of inherent limitations of the device. The disclosed techniques enable a wide variety of data manipulation operations to be performed on behalf of the pervasive device, for a wide variety of content types (Singhal, Abstract).

In the method of Singhal, it is preferred that when a device is accessing or manipulating information from another device, the annotated service invocation address requesting the information provides a complete description of the data to be manipulated. (Singhal, column 16, lines 60-61). When a wireless information device (WID) requests a data manipulation service from a data manipulation server (DMS), the WID issues a requests for a particular service by invoking the provided (and possibly annotated) service invocation address (Singhal, column 16, lines 33-36). All the parameters for this invocation are already available (or indirectly indicated) on the service invocation address, having been supplied by a protocol proxy (Singhal, column 16, lines 37-41). The DMS receives the request and parses the annotated information

in the request to determine the specified service invocation address, the identity of the data to be manipulated, and any other parameters that may be present (Singhal, column 16, lines 41-45). The DMS retrieves the identified data and may optionally manipulate it, according to the requirements of the particular data manipulation service being performed (Singhal, column 16, lines 46-48).

However, if it may happen that the DMS needs to evaluate additional information in order to locate the data, such as if a file name is received that does not specify a complete file path from a root directory, then the DMS preferably uses implementation-dependent techniques for resolving the location and directory path information (Singhal, column 16, line 62-column 17, line 1). But as is clearly specified by Singhal, this only occurs when the request to access and manipulate the file does not contain complete information to locate any file.

In the invention of claim 1, the user terminal device generating a request for retrieving information does not require knowing what specific information the device is requesting or the location of a data store comprising the information. The request includes at least one data store descriptor suitable for characterizing said at least one data store, said at least one data store descriptor identifying at least one content type of data stored in said at least one data store. Rather than identifying the actual location or identity of a specific data store or specific content that is requested, as is done in Singhal, the data store descriptor identifies a content type of data. For example, the Office has cited column 8, lines 57-67 of Singhal as disclosing the at least one data store descriptor, wherein Singhal discloses a "service invocation address" specified for particular services which indicate an address where each service can be invoked, which is provided by a uniform resource locator (URL). The invention of claim 1 does not include such information in the data store descriptor, as the current invention requests to retrieve information relating to a data store identified by the data store descriptor, rather than requesting a specific, identified file or data store.

Furthermore, the teachings of Singhal are inconsistent with the intended purposes of the present invention. Applicant's invention relates to the synchronization

of data, where data store contents relating to different applications are updated across multiple devices. Using technology such as SyncML, data stores must be alerted if they need to be synchronized, which requires information about the data stores, such as the addresses of data stores and type of the content stored. Currently, this information is either entered by the user or sent as an over-the-air setting, both of which are problematic for users (Application as filed, page 2, line 20-page 3, line 2). The present invention seeks to address these problems by providing a method for requesting and retrieving information from, and relating to, at least one data store, where the requester of the information does not need to be aware of information identifying any specific data store, only information identifying at least one content type. This aspect of the invention in claim 1 is absent from the teaching of Singhal.

Lastly, it is asserted by the Office that Singhal discloses “a command for instructing said other device to identify at least one data store matching said at least one data store descriptor, to retrieve information relating to said at least one identified data store and to return said retrieved information to said user terminal device.” Applicant respectfully disagrees.

The “service invocation address” of Singhal is an address where a service for a data store can be invoked, hence, the data store is already identified and known. There would be no reason to disclose a command for instructing the other device to identify at least one data store if the location of the data store is already known. In the invention of claim 1, the location of the at least one data store is not known, therefore a command is included for instructing the other device to identify at least one data store matching the at least one data store descriptor. This feature is not disclosed by Singhal.

Therefore, for the foregoing reasons, it is respectfully submitted that claim 1 is not anticipated by Singhal and is in allowable form.

For similar reasons as those provided with respect to independent claim 1, it is further respectfully submitted that independent claims 16, 17, and 23 are in allowable form.

Since each of the independent claims of the present application are believed to be allowable, it is respectfully submitted that dependent claims 2-6, 21, and 22 are also allowable at least in view of such dependency.

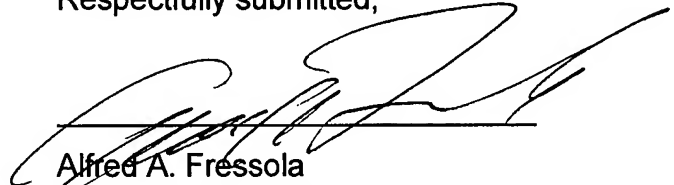
Claim Rejections - 35 USC §103

At section 18, claim 7 is rejected under 35 USC §103(a) as being unpatentable over Singhal in view of SyncML Protocol (December 2003).

Because claim 1 is believed to be allowable, it is respectfully submitted that dependent claim 7 is also allowable at least in view of such dependency.

It is therefore respectfully submitted that the present application as amended is therefore in condition for allowance and such action is earnestly solicited.

Respectfully submitted,



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